

EXHIBIT

1

<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of the form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		<b>FORM APPROVED</b> OMB NO. 1105-0008	
1. Submit To Appropriate Federal Agency: <b>R.E. HOH</b> <b>Southeast Regional Office</b> <b>Federal Bureau of Prisons</b> <b>3800 Camp Creek SW Bldg 2000</b> <b>Atlanta, GA 30331</b>			2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Zip Code) <b>Kim Barlow</b> <b>C/O All Points Marine</b> <b>6300 Estate Frydenhoj #22</b> <b>St Thomas USVI 00802</b>		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input checked="" type="checkbox"/> CIVILIAN	4. DATE OF BIRTH <b>07/17/1965</b>	5. MARITAL STATUS <b>MARRIED</b>	6. DATE AND DAY OF ACCIDENT <b>May 2008</b>	7. TIME (A.M. or P.M.)	
8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)  <b>See Exhibit # 1</b>  <b>The incident occurred on MDC-Guaynabo, Puerto Rico</b>					
<b>9. PROPERTY DAMAGE</b>					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side.)					
<b>10. PERSONAL INJURY/WRONGFUL DEATH</b>					
STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.  <b>See Exhibit #1</b>  <b>The injured person was my husband, Guy Barlow</b>					
<b>11. WITNESSES</b>					
NAME		ADDRESS (Number, street, city, State, and Zip Code)			
<b>12. See instructions on reverse)</b>					
<b>AMOUNT OF CLAIM (In dollars)</b>					
12a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights.)		
	<b>250,000.00</b>		<b>250,000.00</b>		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.) <b>Kim Barlow</b>			13b. Phone number of signatory <b>(340) 775-9912</b>	14. DATE OF CLAIM	
<b>CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM</b>			<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b>		
The claimant shall forfeit and pay to the United States the sum of \$2,000 plus double the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)			Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. (See 18 U.S.C. 287, 1001.)		

### PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 38 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. **Principal Purpose:** The information requested is to be used in evaluating claims.  
 C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.  
 D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid".

### INSTRUCTIONS

Complete all items - insert the word **NONE** where applicable

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF

PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

Any instructions or information necessary in the preparation of your claim will be furnished upon request, by the office indicated in Item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in Item 12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim "invalid". A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

**Failure to specify a sum certain will result in invalid presentation of your claim and may result in forfeiture of your rights.**

Public recording burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden,

to: Director, Torts Branch

Civil Division

U.S. Department of Justice

Washington, DC 20530

and to the

Office of Management and Budget

Paperwork Reduction Project (1105-0008)

Washington, DC 20503

### INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property.

15. Do you carry accident insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code) and policy number. ☒ No

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

17. If deductible, state amount

18. If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? (It is necessary that you ascertain these facts)

19. Do you carry public liability and property damage insurance? ☐ Yes, If yes, give name and address of insurance company (Number, street, city, State, and Zip Code) ☒ No

EXHIBIT

# 1

My husband, Guy Barlow, had a small growth in his groin area when he was arrested on 10-10-07. For five months he tried, even begged, for medical treatment as it was getting bigger and bigger. As it got bigger it also became very painful and started bleeding all the time. He was using toilet paper for bandages most of the time.

On two separate occasions this matter was brought up in court and the judge ordered the marshalls to make sure that he was given proper medical attention. It was months later that he was finally operated on 2-12-08 by Dr. Héctor Ortiz. Dr. Ortiz operated him that day. It was pretty major surgery but the medical staff at MDC-Guaynabo didn't follow the doctors orders on his post-op treatment. Instead they just put him back in his cell and forgot about him. They even didn't change his bunk status to a lower bunk for two nights. This is on record. He wasn't looked by the medical staff until four days later not knowing what he was doing or what it was. The incision started ripping apart shortly afterwards. By early morning it had completely reopened. He could see his insides. Blood was everywhere, the pain was unbearable! He pushed the duress button in his cell to call for help. The guard called the PA. The guard didn't even want to look at it, said all he could do was give my husband some Tylenol. The incision was over six inches long and 1 inch deep.

This all happened on Presidents Day weekend of 2008. There were no doctors around to make sure that he was taken care of properly.

He was left with my insides hanging out in the open, he could see the other end of his penis in his cell for 5 days before they sent him to the hospital on Wednesday the 20<sup>th</sup>. When Dr. Ortiz saw him the first thing he said was: "what happened to the stitching tape I put on you? Mu husband explained to him that the PA took it of, knowing what it was. My husband need to be operate for a second time. Because everything was exposed for so long there is some permanent damage. Dr. Ortiz had to cut away a lot of skin tissue before he could put me back together. This time Dr. Ortiz puts stitches in him, a few of them actually went trough his penis.

Then he was kept in the hospital in intensive care for 7 days. When he was taken back to the institution he was given no post-op for the second time. Again, he was just put back in population where he had to go up and down stairs and walk long distances for his meals and medication.

The first night back, some of the stitches ripped out causing lots of pain not to mention the mental anguish he suffered.

On May 2008 MDC Guynabo Clinical Director noted that he observed evidence of adhesions at the basis of plaintiff Guy Barlow's penis.

Because of the lack of post-op treatment after the first operation he is left with permanent nerve damage , sexually impaired, and gross disfigurement.

We are unable to have sex due to the extreme pain and our marriage is suffering terrible consequences.

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<b>CERTIFIED MAIL™ RECEIPT</b>	
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City State, ZIP+4 Atlanta GA 30331	
PS Form 3800, August 2006 See Reverse for Instructions	